

REMARKS

In the Office Action, claims 1-24 were rejected. By the present Response, claims 11, 22 and 24 are amended. Upon entry of the amendments, claims 1-24 will remain pending in the present patent application. Reconsideration and allowance of all pending claims are requested.

Rejections Under 35 U.S.C. § 102

Claims 1-4, 6, 10-15 and 21-24 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,929,749 (hereinafter “Slonim”).

Claims 1, 10, 11, 12, 21, 22, 23 and 24 and Claims Depending Therefrom.

Independent claim 1 recites, *inter alia*, “determining whether said modifying affected a quality of said communication” (emphasis added).

Similarly, independent claim 10 recites, *inter alia*, “determining a quality of communication in said electrical power network” (emphasis added).

Amended independent claim 11 recites, *inter alia*, “determining a quality of communication of said transmitted information” (emphasis added).

Moreover, independent claim 12 recites, *inter alia*, “a processor for determining whether said modifying affected a quality of said communication” (emphasis added).

Furthermore, independent claim 21 recites, *inter alia*, “a module for determining a quality of communication in said electrical power network; and a module for controlling a circuit to modify said complex impedance of said electrical power network if said quality is below an acceptable threshold” (emphasis added).

Amended independent claim 22 recites, *inter alia*, “a module for determining quality of communication of said transmitted information” (emphasis added).

Independent claim 23 recites, *inter alia*, “instructions for controlling said processor to determine a quality of communication in said electrical power network” (emphasis added).

Amended independent claim 24 recites, *inter alia*, “instructions for determining quality of communication of said transmitted information” (emphasis added).

Applicants have closely considered Slonim, and respectfully submit that Slonim teaches a method for connecting to and disconnecting from local power lines when communication is to take place, and as a result make the system immune to noise. Slonim, in fact, teaches an apparatus that connects to and disconnects from the power main to facilitate the communication and control signals. Such aspects of the Slonim arrangement and functionality are described in found in abstract and passage at col. 5, line 66- col.6, line 3 of the reference:

The system provides for a means of *disconnecting the local power lines from the power main* by automatic switches during the brief time when communication is to take place. Slonim, abstract (emphasis added).

The present application uses the term "automatic switch" to denote a means for *electrically connecting and disconnecting an electrical line from a power main*, implemented in such a way that it may be operated by a mechanism or circuit. *Id.*, col. 5, line 66-col. 6, line 3 (emphasis added).

However, Slonim does not teach any method or apparatus to determine *quality of communication over power lines*, and that acts on the basis of such a determination, as claimed in the present application. On the contrary, the claims presented in the present application relates to *quality of communication in electrical power network* having a

complex impedance. In other words, the quality of the communication is determined, enabling the complex impedance to be modified based on the determined quality.

Because Slonim does not teach determining such a quality of a power line communication, or acting on such a determined quality, Slonim cannot anticipate independent claims 1, 10, 11, 12, 21, 22, 23 and 24 or their dependent claims.

Rejections Under 35 U.S.C. § 103

Claims 5, 7-9, 16 and 18-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Slonim. Claims 5 and 7-9 are dependent from independent claim 1; and claims 16 and 18-20 are dependent from claim 12. Hence, dependent claims 5, 7-9, 16 and 18-20 are allowable by virtue of their dependency from allowable independent claims. For at least these reasons, among others, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. § 103.

Conclusion

In view of the remarks and amendments set forth above, Applicants respectfully request allowance of the pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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/Patrick S. Yoder/
Patrick S. Yoder
Reg. No. 37,479
FLETCHER YODER
P.O. Box 692289
Houston, TX 77269-2289
(281) 970-4545